

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY *[Signature]* D.C.
05 DEC -7 AM 8:40
CLERK OF US DISTRICT COURT
AND OF IN JACSON

DAVID PEARSON,

Petitioner,

VS.

TONY PARKER,

Respondent.

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No. 05-1302-T/An

ORDER DIRECTING MODIFICATION OF THE DOCKET
AND
ORDER FOR RESPONDENT TO FILE RECORD AND TO RESPOND

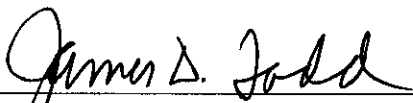
Petitioner David Pearson, Tennessee Department of Correction prisoner number 142282, an inmate at the Northwest Correctional Complex in Tiptonville, Tennessee, filed a *pro se* petition pursuant to 28 U.S.C. § 2241 on October 11, 2005. The Court issued an order on October 25, 2005 directing the petitioner to file a properly completed *in forma pauperis* affidavit or pay the habeas filing fee within thirty days. Pearson paid the habeas filing fee on November 3, 2005. The Clerk is directed to modify the docket to reflect that this petition is filed pursuant to 28 U.S.C. § 2241 rather than § 2254.

It is ORDERED that respondent Tony Parker file a response to the petition within twenty-three (23) days. The response shall include the complete trial and appellate record of Pearson's retrial on the counts of conviction and any subsequent state petition for

collateral relief.

It is further ORDERED that the Clerk shall send a copy of the petition and this order to Tony Parker and the Tennessee Attorney General and Reporter by certified mail.

IT IS SO ORDERED this 6th day of December, 2005.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 1:05-CV-01302 was distributed by fax, mail, or direct printing on December 12, 2005 to the parties listed.

David Pearson
Northwest Correctional Complex
142282
950 State Route 212
Tiptonville, TN 38079

Honorable James Todd
US DISTRICT COURT